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## SENATE BILL No. 266

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 14-8-2-16.5; IC 14-22.

**Synopsis:** Point of sale license system. Requires the department of natural resources to implement an automated point of sale hunting, fishing, and trapping licensing system. Provides for funding of the system. Makes conforming amendments. (The introduced version of this bill was prepared by the natural resources study committee.)

**Effective:** July 1, 2003; July 1, 2005.

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January 9, 2003, read first time and referred to Committee on Natural Resources.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

## SENATE BILL No. 266

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 14-8-2-16.5 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2003]: **Sec. 16.5. "Automated point of sale licensing system", for**  
4 **purposes of IC 14-22, has the meaning set forth in**  
5 **IC 14-22-12-7.5(a).**

6 SECTION 2. IC 14-22-3-5 IS AMENDED TO READ AS  
7 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 5. (a) Except as  
8 provided in subsection (b), the money in the fund shall be used for the  
9 following purposes:

- 10 (1) Protecting and propagating game, fish, and birds in Indiana.  
11 (2) Paying the operational expenses of the following:  
12 (A) The fish and wildlife division.  
13 (B) The law enforcement division.  
14 (3) **Maintaining the automated point of sale licensing system**  
15 **implemented under IC 14-22-12-7.5. However, the amount**  
16 **that may be used under this subdivision during a fiscal year**  
17 **may not exceed the amount transferred on July 1 of that fiscal**



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1 **year under IC 14-22-4-6.**

2 (b) Money in the fund that is attributable to money deposited under  
3 IC 33-19-7-5 shall be used to administer the following:

4 (1) The turn in a poacher program established under  
5 IC 14-9-8-23.

6 (2) The reward system established under the program.

7 **SECTION 3. IC 14-22-4-6 IS AMENDED TO READ AS**  
8 **FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 6. (a) On July 1 of each**  
9 **year:**

10 (1) all of the accumulated earnings in the fund; plus

11 (2) two and one-half percent (2 1/2%) of the money in the fund,  
12 less the accumulated earnings;

13 shall be transferred to the fish and wildlife fund **to maintain the**  
14 **automated point of sale licensing system implemented under**  
15 **IC 14-22-12-7.5. Any unused part of the transfer under this**  
16 **subsection may be used for the other purposes specified in**  
17 **IC 14-22-3-5(a).**

18 (b) The money in the fund may be used for no other purpose.

19 **SECTION 4. IC 14-22-12-7.5 IS ADDED TO THE INDIANA**  
20 **CODE AS A NEW SECTION TO READ AS FOLLOWS**  
21 **[EFFECTIVE JULY 1, 2003]: Sec. 7.5. (a) As used in this section,**  
22 **"automated point of sale licensing system" means a system**  
23 **designed to dispense hunting, fishing, and trapping licenses.**

24 (b) Before July 1, 2005, the department shall develop and  
25 implement an automated point of sale licensing system for use in  
26 Indiana for the sale of hunting, fishing, and trapping licenses to  
27 residents and nonresidents of Indiana.

28 (c) The department shall adopt rules under IC 4-22-2 to  
29 implement this section.

30 **SECTION 5. IC 14-22-12-9 IS AMENDED TO READ AS**  
31 **FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 9. (a) Each clerk of the**  
32 **circuit court or agent selling licenses under this article shall report to**  
33 **the director within five (5) days after the close of each quarter the**  
34 **following:**

35 (1) The number of each respective kind of licenses sold during the  
36 preceding quarter.

37 (2) The serial numbers of the licenses.

38 (3) The number of unsold licenses of each kind remaining in the  
39 possession of the clerk or agent.

40 (b) At the time of making the report, the clerk or agent shall remit  
41 all money collected for the licenses.

42 (c) The clerk of the circuit court in each county shall retain as the

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property of the county the service fees provided by section 8 of this chapter from the sale of licenses sold by the clerk. The clerk shall pay the fees promptly into the county general fund as other fees are paid, subject to section 12 of this chapter.

SECTION 6. IC 14-22-12-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 10. (a) Each clerk of the circuit court who is an authorized representative of the department for the sale of hunting and fishing licenses may designate subagents in the county to sell licenses.

(b) Each year the subagent must execute a bond payable to the state in an amount not less than five thousand dollars (\$5,000); but large enough to cover the value of licenses distributed to the subagent and with the surety that is approved by the clerk; conditioned on the proper selling of the licenses and proper accounting for all money due to the state.

SECTION 7. THE FOLLOWING ARE REPEALED [EFFECTIVE JULY 1, 2005]: IC 14-22-12-11; IC 14-22-12-13.

SECTION 8. [EFFECTIVE JULY 1, 2003] (a) Notwithstanding IC 14-22-4-6, as amended by this act, on July 1, 2003, an amount not to exceed twenty-five percent (25%) of the money in the lifetime hunting, fishing, and trapping license trust fund established by IC 14-22-4-2 shall be transferred to the fish and wildlife fund established by IC 14-22-3-2 to develop and implement the automated point of sale licensing system under IC 14-22-12-7.5, as added by this act.

(b) This SECTION expires June 30, 2006.

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